

Exhibit D

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SEC Voluntarily Dismisses Manipulation Claim Against Masri

By on August 27, 2008, 5:40 pm



Roger Crane

Nine years after alleging that Mexican business owner Moises Saba Masri engaged in the manipulation of securities, the SEC has decided to voluntarily dismiss its lawsuit against him with prejudice.

According to a press release yesterday, the stipulation was initiated voluntarily by the SEC, and came in the absence of any settlement agreement. Roger Crane, Masri's counsel at Nixon Peabody LLP, stated that "[t]his type of dismissal is extremely uncommon for litigants in the advanced stages of an SEC case. We are pleased by the SEC's decision to dismiss its case. Mr. Saba never wavered in his belief that he would be vindicated in this matter."

[Read the Nixon Peabody press release](#)

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